IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

WRIT PETITION ( ) NO. 7206 OF 2006

PETITIONERS :

1. Vidya Charan Gore, S/o Khadakram Gore, Aged about 26 years, Presently posted and working as Shiksha Karmi Grade-III, Naveen Primary School, Indira Avas, Sero, R/o Village Sapiya, Tehsil Malkharoda, District Janjgir-Champa (CG).

2. Jaykar Singh Rathore, S/o Gokhiram Rathore, Aged about 23 years, Presently posted and working as Shiksha Karmi Grade-III, Naveen Primary School, Anda, Purani Basti, R/o Village Ghaghra, Tehsil Kharsiya, District Raigarh (CG).

3. Pankaj Kumar Chandra, S/o Gaurilal Chandra, Aged about 19 years, Presently posted and working as Shiksha Karmi Grade-III, Sathgarh, Post Piharid, Tehsil Malkharoda, R/o Village Satgarh, Post Piharid, Tehsil Malkharoda, District Janjgir-Champa (CG).

4. Shivkumari Sahu, D/o Dhaniram Sahu, Aged about 22 years, Presently posted and working as Shiksha Karmi Grade-III, Naveen Primary School, Indira Avas, Sero, R/o Village Dongridiha, Post Amaldiha, Tehsil Malkharoda, District Janjgir-Champa (CG).

5. Raj Kumar Karsh, S/o Mehatarlal, Aged about 25 years, Presently posted and working as Shiksha

Karmi Grade-III, Mukta, Tehsil Malkharoda, R/o Village Mukta, Tehsil Malkharoda, District Janjgir-Champa (CG).

6. Smt. Kanti Ratre, W/o Ashok Kumar Ratre, Aged about 31 years, Presently posted and working as Shiksha Karmi Grade-III, Naveen Primary School, Anda, Purani Basti, R/o Village Adhbar, Tehsil Malkharoda, District Janjgir-Champa (CG).

7. Raju Singh Gond, S/o Chamra Ram Gond, Aged about 25 years, Presently posted and working as Shiksha Karmi Grade-III, Naveen Primary School, Marghati, Kanai, Tehsil Malkharoda, R/o Village Dolnar, Tehsil Sakti, District Janjgir-Champa (CG).

8. Thaleshwar Prasad Rathia, S/o Gopal Prasad, Aged about 24 years, Presently posted and working as Shiksha Karmi Grade-III, Naveen Primary School, Rabeli Mod, Seepat, Tehsil Malkharoda, R/o Village Temtema, Post Robertson, Tehsil Kharsiya, District Raigarh (CG).

9. Samelal Bareth, S/o Sahasram Bareth, Aged about 25 years, Presently posted and working as Shiksha Karmi Grade-III, Unna High School, Aadil, R/o Village Amaldiha, Tehsil Malkharoda, District Janjgir-Champa (CG).

Versus

RESPONDENTS :

1. State of Chhattisarh, Through Secretary, Department of Pancharyat and Social Welfare,

DKS Bhawan, Mantralaya, Raipur (CG).

2. Collector, Janjgir-Champa (CG).

3. Sub Divisional Officer (Revenue), Sakti, District Janjgir-Champa (CG).

4. Block Education Officer, Block Malkharoda, District janjgir-Champa (CG).

5. Zilla Panchayat, Janjgir – Champa, Through Chief Executive Officer, District Janjgir-Champa (CG).

6. Janpad Panchayat, Malkharoda, Through Chief Executive Officer, Malkharoda, District Janjgir-Champa (CG).

7. The Station House Officer, Police Station Malkharoda, District Janjgir-Champa (CG).

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....W.P....7206/06..... **सन् 200**6

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11.1.2007 Shri B.D. Guru, counsel for the petitioners. Shri Utkarsh Verma, Dy. Govt. Adv. for the State. This petition is directed against the memo of Annexure P/1 addressed to Station House Officer, P.S. Malkharouda, Distt- Janjgir Champa by Chief Executive Officer, Janpad Panchayat, Malkharouda, complaining therein that the petitioners have obtained employment of Shikshakarmi on the basis of forged marksheets and experience certificates. Learned counsel for the petitioners submits that the petitioners were given employment after due enquiry by the competent authorities and the aforesaid letter has been written on the basis of some enquiry conducted behind their back and therefore, they apprehend that a false criminal case may be fastened against them on the basis of document of Annexure P/1. In these circumstances, a direction is sought for apart from other direction to the effect that the document of Annexure P/1 be quashed and the respondents be directed to conduct enquiry afresh after affording an opportunity of hearing to the petitioners. In the considered opinion of this Court, on the facts alleged by the petitioners in the petition, there is no cause of action available to the petitioners to file the instant petition as	

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P...7206..... **सन् 200 6**

(48)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	there is no order passed by any authority detrimental to the interest of the petitioners and only a complaint has been lodged against them on the basis of some enquiry conducted against them. However, the petitioners are at liberty to take their defence, if any, before the concerned authorities/police. With the aforesaid observations, the petition being devoid of substance is liable to be dismissed at the admission stage itself and is accordingly, dismissed. **Sd/-** **Dhirendra Mishra** **Judge**	

P.T.O.

17/01/07